IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 27045 of 2007(S)

OPGW.784/2006 of FAMILY COURT, NEDUMANGAD
.....

PETITIONER:

C.S.PUSHPA BINDU, D/O CHERUPUSHPAM,
THEKKUMKARA PUTHEN VEEDU, KOTTAKKONAM,
KATTACHALKUZHI P.O., BALARAMAPURAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.V.S.NAMPOOTHIRY

RESPONDENTS:

K.JOSE, VAZHAVILA PUTHEN VEEDU,
THAMALAM, POOJAPPURA P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.S.REGHUNATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

WP(C).No. 27045 of 2007(S)

PETITIONER'S EXHIBITS

Ext.P1: True copy of the petition filed by the respondent before the Family Court Nedumangad.

Ext.P2: True copy of the I.A. filed by the petitioner for conducting DNA test

Ext.P3: True copy of the objection filed by the respondent.

Ext.P4: True copy of the application filed by the petitioner.

Ext.P5: True copy of the affidavit of the father of the petitioner.

RESPONDENT'S EXHIBITS

Ext.R1(a) True copy of the FIR of the Vilappilsala Police Station dated 22-8-2006

Ext.R1(b): True copy of the affidavit filed by the father of petitioner before this Hon'ble Court

//True copy//

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KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No. 27045 of 2007

Dated this the 19th day of October 2007

JUDGMENT

Kurian Joseph,J

The only prayer in this writ petition is for a direction to the Family Court Nedumangad to dispose of Ext.P2 application pending before the said court in O.P (G.W) No.784/2006 . The petitioner apprehends that during the pendency of the Original petition, if her child Dhanya is produced before the Family court as per the direction already issued by the said court, the said court might forthwith grant custody of the child to the respondent father. The petitioner need not have any apprehension that the custody will be handed over to the respondent father, on production of the child, so long as there are no proceedings in that regard. The production is only to enable the respondent to meet the child.

In that view of the matter, the writ petition is disposed of directing the Family court to dispose of Ext.P2 application expeditiously.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE

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